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**FILED**

DISTRICT COURT OF GUAM

FEB - 8 2006

MARY L.M. MORAN  
CLERK OF COURT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE TERRITORY OF GUAM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES RUMBAUA DAMASO,

Defendant.

CRIMINAL CASE NO. 06-00005

**INDICTMENT**

**POSSESSION WITH INTENT TO DISTRIBUTE  
METHAMPHETAMINE HYDROCHLORIDE**

[21 U.S.C. §§ 841(a)(1) (b)(1)(C)]  
(COUNT I)

**USING AND CARRYING AND POSSESSING A  
FIREARM DURING AND IN RELATION TO  
A DRUG TRAFFICKING OFFENSE**

[18 U.S.C. § 924(c)(1)(A)] (COUNT II)

**FELON IN POSSESSION OF A FIREARM**

[18 U.S.C. §§ 922(g)(1) and 924(a)(2)]  
(COUNT III)

**POSSESSION OF A FIREARM WITH AN  
OBLITERATED SERIAL NUMBER**

[26 U.S.C. §§ 5861(i) and 5871]  
(COUNT IV)

THE GRAND JURY CHARGES:

**COUNT I - POSSESSION WITH INTENT TO DISTRIBUTE  
METHAMPHETAMINE HYDROCHLORIDE**

On about January 6, 2006, in the District of Guam, the defendant herein, JAMES  
RUMBAUA DAMASO, did unlawfully and knowingly possess with intent to distribute less than

1 5 grams of methamphetamine hydrochloride, a schedule II controlled substance, in violation of  
2 Title 21, United States Code, Sections 841(a)(1)(b)(1)(C).

3  
4 **COUNT II - USING AND CARRYING AND POSSESSING A FIREARM**  
5 **DURING AND IN RELATION TO A DRUG TRAFFICKING**  
6 **OFFENSE**

7 On or about January 6, 2006, in the District of Guam, the defendant herein, JAMES  
8 RUMBAUA DAMASO, did unlawfully, knowingly and wilfully, during and in relation to a drug  
9 trafficking crime for which the defendant may be prosecuted in a court of the United States,  
10 namely, possessing with intent to distribute methamphetamine hydrochloride as charged in Count  
11 I of the Indictment, used and carried a firearm, and in furtherance of such crime, possessed such  
12 firearm, in violation of Title 18, United States Code, Sections 924(c)(1)(A).

13 **COUNT III - FELON IN POSSESSION OF A FIREARM**

14 On or about January 6, 2006, in the District of Guam, JAMES RUMBAUA DAMASO,  
15 the defendant herein, having been convicted in the Superior Court of Guam on or about October  
16 19, 2005, of a crime punishable by imprisonment for a term exceeding one year, possessed in  
17 and affecting commerce a firearm, to wit: a Colt Mark IV Series 80 .45 caliber pistol, serial  
18 number obliterated, which had been shipped and transported in interstate or foreign commerce, in  
19 violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

20 **COUNT IV - POSSESSION OF A FIREARM WITH AN OBLITERATED**  
21 **SERIAL NUMBER**

22 On or about January 6, 2006, in the District of Guam, JAMES RUMBAUA DAMASO,

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1 the defendant herein, knowingly received and possessed a firearm, to wit: a Colt Mark IV Series  
2 80 .45 caliber pistol, not identified by a serial number as required by chapter 53 of Title 26, in  
3 violation of Title 26, United States Code, Sections 5861(i) and 5871.


4 DATED this 8<sup>th</sup> day of February, 2006.

5 A TRUE BILL.

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8 Foreperson

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11 LEONARDO M. RAPADAS  
12 United States Attorney  
Districts of Guam and NMI

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14 By:

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16 RUSSELL C. STODDARD  
17 First Assistant U.S. Attorney  
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